

Serial No. 09/822,653

Attorney Docket No. CS10883

REMARKS/ARGUMENTS

Claims 1, 4, 5, 11, and 13 through 20 remain in this application. Claim 3 has been canceled without prejudice or disclaimer. Claims 1, 4, 5 and 16 are amended.

Claims 1, 3 through 5, 11, and 13 through 20 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,278,887 B1 to Son, et al. ("Son, et al. patent").

Claim 1 as amended provides, *inter alia*, a first activation of the user interface clears or ignores a user entry so that it is not acknowledged by the user interface, illuminates the user interface, and activates a timer, in which a lighting circuit illuminates the user interface for variable time periods depending on the ambient lighting signal. Likewise, claim 16 as amended provides, *inter alia*, clearing or ignoring a user entry so that it is not acknowledged by the user interface, illuminating the user interface for variable periods depending on the ambient lighting signal, and activating a timer in response to detecting a first activation. Support for the above added recitation of claims 1 and 16 is provided at page 10, lines 5 through 22; page 11, lines 1 through 15; and page 13, lines 9 through 14, of the specification.

In contrast, the Son, et al. patent describes a device wherein the back light is either turned-on or turned-off depending on the lighting conditions received through a photo sensor. It does not describe or suggest a user interface which gets illuminated for *variable time periods* depending on the ambient lighting signal, as required by claims 1 and 16. Therefore, claims 1 and 16 as amended distinguish patentably from the Son, et al. patent.

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Claims 4, 5, 11, 13 through 15, and 17 through 20 depend from and include all limitations of independent claims 1 and 16 as amended. Therefore, claims 4, 5, 11, 13 through 15, and 17 through 20 distinguish patentably from the Son, et al. patent for the reasons stated above for claims 1 and 16.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. §102(e) rejection of claims 1, 4, 5, 11, and 13 through 20 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any

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questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
Abbasi, Amir A., et al.

Please forward all correspondence to:
Motorola, Inc.
Law Department (HDW)
600 North US Highway 45, AS437
Libertyville, IL 60048



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Hisashi D. Watanabe
Attorney for Applicant(s)
Registration No. 37,465
Telephone: (847) 523-2322
Facsimile: (847) 523-2350

Date